IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.578 OF 2005
IN
FIRST APPEAL NO.279 OF 2005

OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

Mr K.K. Tated, A.G.P. for the Applicant.
Mr Jeetinder Sachadev for the Respondent.

CORAM : A.S. OKA, J.
DATE : MARCH 28, 2006.

P.C.:

1. Notice was already issued in the Appeal to the Respondent.

2. Heard learned A.G.P. appearing for the Applicant. The challenge in the First Appeal is to the Award under Section 18 of the Land Acquisition Act, 1894. Execution of Award cannot be stayed unless the entire amount is deposited by the Applicant/Appellant. Hence, there will be interim relief in terms

of prayer clause (b) subject to the condition that the Applicant will deposit the entire amount due and payable as per the impugned Judgment and Award in the reference Court within twelve weeks from today. If the amount is not deposited within the stipulated period, stay granted will stand vacated automatically.

3. If the amount is deposited by the Applicant, the Respondent will be entitled to withdraw the said amount subject to furnishing security to the satisfaction of the Reference Court.

4. Civil Application is disposed of in above terms.

5. As this order is passed without notice to the Respondent, he will be at liberty to apply for modification of this order.

JUDGE